

A-22-04

UTILITY PATENT APPLICATION TRANSMITTAL

042004

17707 U.S. PTO

Address to: Mail Stop PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No. 3176 PUS	17548 U.S. PTO 10/829409 042004
	Inventor(s) or Appln. Identifier Jon P. Hassell William P. Apps Robert V. Gruber	

1. This application entitled NESTABLE CRATE FOR CONTAINERS is:
 - a. X A new application under 37 C.F.R. § 1.53(b).
 - b. A continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. filed on , entitled .
 - c. A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. X Specification (including Claims and Abstract) [Total Pages 17]
3. X Drawings (X informal / formal) [Total Sheets 8]
4. Oath or Declaration
 - a. Newly-executed
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
5. Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10	
I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop Patent Application, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
Express Mail Label No. <u>EJ 206 387 331 US</u>	<u>Konstantine J. Diamond</u> (Type or print name of person mailing paper)
Date of Deposit: <u>April 20, 2004</u>	<u>Kan</u> (Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☐ A Preliminary Amendment is attached.
- b. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. ☐ Please amend the specification by inserting before the first line the following sentence:
 "This is a _____ continuation _____ divisional of copending
 application(s) serial number _____ / _____ filed on _____."
- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATION S
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	28 -20 =	8	x 18.00	144.00
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =	0	x 86.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. §1.16(d))			290.00	
BASIC FEE (37 C.F.R. § 1.16(a))				770.00
TOTAL OF ABOVE CALCULATIONS				914.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				
TOTAL				914.00

10. ☐ A check in the amount of \$_____ is enclosed.
11. ☒ The Commissioner is hereby authorized charge the fee of \$914.00 or to credit overpayments or charge any deficiency therein to Deposit Account No. 50-1984 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
12. Maintenance of Copendency of Prior Application

☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

13. ☐ An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:
- a. ☐ Form PTO/SB/08 (☐ sheet(s))
- b. ☐ Copies of references cited
14. ☐ Certified copy of priority document(s)
15. ☐ Nonpublication Request Under 37 C.F.R. § 1.213(a)
16. ☐ Request for Early Publication Under 37 C.F.R. § 1.219
17. ☒ Return Receipt Postcard
18. ☐ Other: _____
19. ☐ An Assignment of the invention to _____
having an address of _____
- a. ☐ is attached.
- b. ☐ was recorded on _____ at Reel _____, Frame _____.
- c. ☐ Applicant requests that the above assignee information be published with the application.
20. The power of attorney in the prior application is to:
- _____
Name of Attorney of Record _____ Reg. No.
- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers, but was filed on _____.
- ☐ A new power has been executed and is attached.
21. Correspondence Address: Please address all future communications to:

Konstantine J. Diamond,
4010 E. 26th Street
Los Angeles, CA 90023
Telephone: 323-262-5145; Fax: 323-269-8506

Respectfully submitted,

Jon P. Hassell, et al.



Name: Konstantine J. Diamond
Registration No.: 39,657

Date April 20, 2004

☐ Attorney or agent of record
☒ Filed under Rule 34(a)